

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

SUIT NO. 1084 OF 1984

Mrs. Hajiah Nusrat Khanom
Payandesh and Ors.Plffs.
vs.
Mohammed Hassan Hajati
and Ors.Defnds.

M.Sharma i/b. Desai and Diwanji for the plaintiffs.

C.N. Chawan for the defendants.

A.B. Malwankar, Representative of Court Receiver
present.

CORAM: S.U. KAMDAR, J.

DATE : 12th January, 2006.

P.C. :

1. The suit itself is already decreed by an judgment and decree dated 29.9.1997 passed in Arbitration Petition no. 67 of 1997 in terms of the Award No.36 of 1997. In that light of the matter suit does not survive any further. Suit

disposed off accordingly in terms of the judgment and decree dated 29.9.1997.

2. In so far as the Court Receiver, High Court, Bombay is concerned since he is appointed as Receiver in interim proceedings the appointment of the Receiver comes to an end on disposal of the suit. In that view of the matter, the Court Receiver stands discharged. Receiver to hand back possession of the premises to the plaintiff. In so far as the accounts are concerned the Receiver is directed to finalise the accounts after considering the income-tax liability if any, and after concluding and finalising the accounts dishorse the amount in accordance with the judgment and decree dated 29.9.1997 or if necessary, make a report to the court for disbursement of the amount. Suit No. 1084 of 1984 is disposed off accordingly. No order as to costs.

sd/-

(S.U. KAMDAR, J)